RECEIVED CENTRAL FAX CENT

JUN 2 8 2006

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Rence Y. Edwards Type or print name of posson signing certification

Date

8300

PATENT APPLICATION

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant:

REMICK David Michael

Group Art Unit: 1614

Serial No.:

10/542872

Examiner:

Application Date:

January 21, 2004

Conf No.: 8344

US Nat'l Entry

Date (if applicable): July 20, 2005

For: CRYSTALLINE NON-SOLVATED

1-(4-(2-PIPERIDINYLETHOXY)PHENOXY)-2-(4-METHANESULFONYLPHENYL)-

**6HYDROXYNAPHTHALENE** 

HYDROCHLORIDE

Docket No.:

X15930

## REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents Office of Initial Patent Examination Customer Service Center P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants request correction of the filing receipt for this application. A copy of the receipt, with the corrections noted, is enclosed.

The error in the filing receipt arose from the inadvertent exclusion of one of the priority documents claimed (PCT/IB03/03349) but not listed under item 18 in the 371 transmittal that accompanied this application.

Please charge Deposit Account No. 05-0840 in the amount of \$25.00 for the fee required by Section 1.19(b).

Applicants therefore requests that the filing receipt be corrected.

Respectfully submitted

Attorney for Applicants Registration No. 43,972

Phone: 317-276-2966

Eli Lilly and Company Patent Division P.O. Box 6288

Indianapolis, Indiana 46206-6288

June 28, 2006

Enclosure: Copy of Filing Receipt with the changes noted thereon.

JUN 28 2006 11:17 FR LILLY PATENT DIVISION7 276 3861 TO 915712738300

Page 1 of 3

2



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE Unland Sanne Petent and Tradountal Office Anne COMMENCE FOR PATENTS TO Be 158

## #313H4®

FILMG OR 371 (c) DATE

ART UNIT

FIL FEE REC'D 900

ATTY. DOCKET NO

DRAWINGS

TOT CLMS

10/542.872

07/20/2005

1614

RECEIVED X15930

CONFIRMATION NO. 8344

25885

ELI LILLY & COMPANY PATENT DIVISION P.O. BOX 6288 INDIANAPOLIS, IN 46206-6288 APR 24 2006

ELI LILLY AND COMPANY Patent Division

**FILING RECEIPT** 

\*0000000018544645\*

Data Mailed: 04/18/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt Incorporating the requested corrections (if appropriate).

Applicant(s)

David Michael Remick, Fishers, IN:

Power of Attorney: The patent practitioners associated with Customer Number 25885.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/UE04/00020 91/21/2004 which claims benefit of 69/459,233 02/25/2003-4

Foreign Applications

This application is a 371 of PCT/US04/00020 01/21/2004 which claims the benefit of PCT/IB03/03349 07/16/2003 and the benefit of 60/450,233 02/25/2003

Projected Publication Date: 07/27/2006

Non-Publication Request: No

Early Publication Request: No

Title

Crystalline non-solvated 1-(4-(2-piperidinylethoxy)phenoxy)-2-(4-methanesulfonylphenyl)-6hydroxynaphthalene hydrochloride

# BEST AVAILABLE COPY

JUN 28 2006 11:17 FR LILLY PATENT DIVISION7 276 3861 TO 915712738300

P.03

Page 2 of 3

Proliminary Class

514

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filling of a U.S. patent application serves as a request for a foreign filling license. The application's filling receipt contains further information and guidance as to the status of applicant's license for foreign filling.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treeties and Foreign Patents") for more information on timeframes and deadlines for filling foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-788-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consuit the U.S. Government website, http://www.stopfakes.gov. Pert of a Department of Commerce initiative, this website includes self-help "toolidis" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hottine at 1-868-999-HALT (1-868-999-4158).

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(e) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licenses and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject

matter'ss imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensess should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Transury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 6.18(b).